

86th Legislative Session – 2011

Committee: Senate Judiciary

Tuesday, March 01, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
E Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 24, 2011

Moved by: Vehle
Second by: Hunhoff (Jean)
Action: Prevailed by voice vote.

HB 1062: adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

Presented by: Representative David Lust
Proponents: Sam Wilson, AARP

MOTION: DO PASS HB 1062

Moved by: Cutler
Second by: Vehle
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

HB 1155: revise various trust provisions.

Presented by: Representative David Lust
Proponents: Bret Afdahl, SD Division of Banking

MOTION: DO PASS HB 1155

Moved by: Nygaard
Second by: Vehle
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1155 ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Cutler
Action: Prevailed by voice vote.

HB 1154: require persons convicted of crimes involving domestic violence to support domestic violence programs.

Presented by: Representative David Lust
Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault
Lynn Valenti, Department of Social Services

MOTION: DO PASS HB 1154

Moved by: Vehle
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

HB 1067: revise the lookback period for the enhancement of penalties for multiple assaults and violations of protection orders.

Presented by: Representative David Novstrup

Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault
Lynn Valenti, Department of Social Services

Opponents: Traci Smith, SD Association of Criminal Defense Lawyers

MOTION: DO PASS HB 1067

Moved by: Nygaard

Second by: Cutler

Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Voting No: Begalka

Excused: Buhl

HB 1069: define electronic communication devices for certain crimes involving threatening or harassing calls.

Presented by: Senator Mike Vehle

Proponents: Chuck Schroyer, SD States Attorneys Association

MOTION: DO PASS HB 1069

Moved by: Cutler

Second by: Nygaard

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1069 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Cutler

Action: Prevailed by voice vote.

HB 1145: provide for the identification of the law applicable to certain claims for damages.

Presented by: Representative Roger Hunt

Proponents: Thomas Kapusta, The Evangelical Lutheran Good Samaritan Society
Bob Riter Jr., The Evangelical Lutheran Good Samaritan Society

Opponents: Dave Hewett, SD Association of Healthcare Organizations
Dennis Duncan, SD Health Care Association
Lorin Pankratz, Sanford Health
David Owen, SD Chamber of Commerce & Industry
Steve Siegel, SD Trial Lawyers Association

Testimony on HB 1145 to continue on Wednesday, March 2, 2011.

HB 1040: provide jurisdiction for clerk magistrates to accept certain penalties.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1040

Moved by: Nygaard
Second by: Cutler
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1040 ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Cutler
Action: Prevailed by voice vote.

THE CHAIR PLACED THE COMMITTEE IN RECESS UNTIL 4:00 PM, WEDNESDAY, MARCH 2, 2011, OR UNTIL 10 MINUTES AFTER THE SENATE FLOOR SESSION ENDS ON MARCH 2.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair